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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,565	08/01/2001	Elin R. Pedersen	108323	3553

25944 7590 04/21/2005

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EXAMINER

SCHUBERT, KEVIN R

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/918,565

Applicant(s)

PEDERSEN, ELIN R

Examiner

Kevin Schubert

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Claim Objections

Claim Rejections - 35 USC § 102

c) determining access rights of the caller (Col 11, line 62 to Col 12, line 3);

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d) determining if a token is associated with the caller (Col 11, line 62 to Col 12, line 3);

e) adjusting at least one of the selection criteria based on the token to control access to a callee (Col 11, line 37 to Col 12, line 7);

Miner discloses an interactive voice mail machine which meets the limitations of the
5 above claim. When a caller calls in, he must say a password in order to have access rights to the callee (the interactive voicemail system) such as listening to messages left for him on the machine.

As per claim 2, the applicant describes the method of claim 1, which is met by Miner (see
10 above), with the following limitation which is also met by Miner:

Further comprising providing the caller with access to the callee based on the selection criteria (Col 11, line 37 to Col 12, line 7).

As per claims 3 and 17, the applicant describes the method of claims 2 and 16, which are
15 met by Miner (see above), with the following limitation which is also met by Miner:

Wherein the interaction request includes a request for interaction information to the interaction manager (Col 11, line 37 to Col 12, line 7).

As per claim 4, the applicant describes the method of claim 3, which is met by Miner (see
20 above), with the following limitation which is also met by Miner:

Wherein the interaction request includes at least one of a caller identity, a caller's communication device, and a callers mode of communication (Col 11, line 37 to Col 12, line 7).

As per claims 5 and 19, the applicant describes the method of claims 3 and 17, which are
25 met by Miner (see above), with the following limitation which is also met by Miner:

Wherein the interaction information includes at least one of visibility information, accessibility information, and continuity information (Col 11, line 37 to Col 12, line 7).

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As per claims 7 and 21, the applicant describes the method of claims 5 and 19, which are met by Miner (see above), with the following limitation which is also met by Miner:

Wherein the continuity information relates to past interactions between the caller and an issuer of the token (Col 11, line 37 to Col 12, line 7).

5

As per claims 8 and 22, the applicant describes the method of claims 5 and 19, which are met by Miner (see above), with the following limitation which is also met by Miner:

Further comprising presenting the interaction information to the caller as an interaction space (Col 1, lines 46-57).

10

The electronic assistant interacts with pagers, PDAs, etc in addition to just telephones. This means that the electronic assistant is capable of sending text messages to an interaction space in addition to sending voice messages to a telephone.

15

As per claims 9 and 23, the applicant describes the method of claims 8 and 22, which are met by Miner (see above), with the following limitation which is also met by Miner:

Further comprising displaying the interaction space to the caller on a web-enabled device (Col 1, lines 46-57).

20

As per claims 10 and 26, the applicant describes the method of claims 1 and 15, which are met by Miner (see above), with the following limitation which is also met by Miner:

Obtaining a token associated with the caller from a data source if the token exists (Col 11, line 57 to Col 12, line 3).

25

As per claim 15, the applicant describes a system that adjusts access rights of a caller for access to a callee comprising the following limitations which are met by Miner:

a) an output interface that receives an interaction request (Col 11, line 37 to Col 12, line 7);

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b) a controller that identifies selection criteria associated with at least one of the caller and an information provider, and identifies a token associated with the caller and adjusts at least one of the selection criteria based on the identified token to control access to the callee (Col 11, line 37 to Col 12, line 7).

5

As per claim 16, the applicant describes the system of claim 15, which is met by Miner (see above), with the following limitation which is also met by Miner:

Further comprising an output interface that provides identifying information to the caller (Col 11, line 37 to Col 12, line 7).

10

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

15

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

20

Claims 6,11-12,20, and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miner in view of Linden, U.S. Patent No. 6,360,254.

25

As per claims 6 and 20, the applicant describes the method of claims 5 and 19, which are met by Miner (see above), with the following limitation which is met by Linden:

Wherein the accessibility information includes at least one hypertext link associated with an issuer of the token (Linden: Col 4, lines 25-29);

30

Miner discloses all the limitations of claims 5 and 19. However, Miner does not disclose that the accessibility information includes a hypertext link.

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Linden discloses a system similar to Miner's in which access rights are determined for a user. Linden also discloses that if a user is verified a hypertext link is sent back to his computer or PDA. Miner discloses that the electronic assistant can communicate with a computer or a PDA in addition to a phone.

5 It would have been obvious to one of ordinary skill in the art at the time the invention was filed to combine the ideas of Linden with those of Miner because doing so allows a link to be sent to a caller in addition to just a message. For example, in the case where the group associated with the electronic assistant wants the caller to know their website, a hypertext link could be sent back to a PDA or computer of the caller.

10

As per claims 11-12 and 24-25, the applicant describes the method of claims 10 (etc), which are met by Miner (see above), with the following limitation which is met by Linden:

a) determining if the expiration date has occurred (Linden: Col 6, lines 23-32; Fig 3B);

b) adjusting the at least one selection criteria only if the expiration has not occurred

15 (Linden: Col 6, lines 23-32; Fig 3B).

Claims 13-14 and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miner in view of Chang, U.S. Patent No. 6,715,082.

20 As per claims 13-14 and 27-28, the applicant describes the method of claims 10 and 26, which are met by Miner (see above), with the following limitation which is met by Chang:

Wherein obtaining the token associated with a caller comprises reading the token from a card (Chang: Col 2, lines 11-41; Col 4, lines 31-33);

25 Miner describes all the limitations of claims 10 and 26. However, Miner fails to disclose reading the token from a card.

Chang describes a token verification system similar to that of Miner's which allows a client to access a private resource if he has the right token with the additional feature that the token is read from a card.

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It would have been obvious to one of ordinary skill in the art at the time the invention was filed to incorporate the ideas of Chang with Miner and have the feature of reading the token from a card because this feature provides an additional level of security.

Regarding claims 14 and 28, the element of a card reader is present in Chang's system
5 as this is necessary for obtaining the token from the card.

Response to Arguments

Applicant's response, filed 3/29/05, with respect to claims 1-12 and 15-26 of Linden (U.S. Patent No. 6,360,254) have been considered but are moot in view of the new ground(s) of
10 rejection. Regarding the idea of "adjusting access rights", newly-applied reference Miner (U.S. Patent No. 6,021,181) discloses the idea of a caller such as a member of a family calling in to an electronic assistant. If the caller is verified by saying his personal password, the electronic assistant adjusts access rights by giving the caller permission to access his personal messages.

15 Applicant's response, with respect to claims 13-14 and 27-28 of Linden in view of Chang (U.S. Patent No. 6,715,082) have been considered but are moot in view of the new ground(s) of rejection. The applicant argues that the rejection should be withdrawn because the original claims on which claims 13-14 and 27-28 depend have been amended so as to avoid Linden. While the examiner agrees, the argument is moot in light of newly-applied reference Miner.

20

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant
25 is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the

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THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Schubert whose telephone number is (571) 272-4239. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANDREW CALDWELL
SUPERVISORY PATENT EXAMINER

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